

Senators Lewis, Miller, Dibrell, Davidson and Stafford were announced.

There being no quorum, Senator Johnson moved to adjourn until tomorrow at 10 a. m.

Lost by the following vote:

Yeas—7.

Atlee.	Lloyd.
Dibrell.	Stafford.
Johnson.	Wayland.
Kerr.	

Nays—11.

Davidson.	Miller.
Gough.	Morriss.
Greer.	Odell.
James.	Turney.
Lewis.	Yantis.
McGee.	

Absent.

Burns.	Potter.
Goss.	Ross.
Grinnan.	Sebastian.
Hanger.	Stone.
Linn.	Terrell.
Neal.	Yett.
Patterson.	

It appearing that no quorum could be had,

On motion of Senator Miller the Senate adjourned until 9:57½ a. m. tomorrow.

### THIRTEENTH DAY.

Senate Chamber,

Austin, Tex., Tuesday, Feb. 13, 1900.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Neal.
Dibrell.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Turney.
Lewis.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.

Absent.

Goss.	Terrell.
Linn.	

Prayer by the Chaplain, Rev. C. B. Garrett.

Pending the reading of the Journal of yesterday,

On motion of Senator Wayland, the same was dispensed with.

### EXCUSED.

On motion of Senator Wayland, Assistant Sergeant-at-Arms D. F. Hughes was excused for non-attendance on last Thursday, on account of sickness in his family.

On motion of Senator James, Senator Potter was excused for non-attendance on yesterday, on account of important business.

On motion of Senator Patterson, Senator Sebastian was excused for non-attendance on yesterday on account of important business.

On motion of Senator Johnson, Senator Hanger was excused for non-attendance on yesterday on account of important business.

On motion of Senator Neal, Senator Burns was excused for non-attendance on yesterday on account of important business.

On motion of Senator Odell, Senator Yantis was excused for non-attendance on last Thursday on account of important business.

On motion of Senator Johnson, Senator Hanger was excused for absence on last Wednesday on account of sickness.

On motion of Senator Patterson, Senator Stone was excused for non-attendance on yesterday because of failure to arrive earlier.

On motion of Senator Potter, Senator Neal was excused for non-attendance on yesterday on account of important business.

### INVITATION.

Senator Atlee sent to the Secretary's desk and had read the following:

*To the Members of the Twenty-sixth Legislature of the State of Texas.*

In the name and by the authority of Yaqui Tribe No. 59, Improved Order of Red Men, you are cordially invited to attend the celebration of the one hundred and sixty-eighth birthday of that grand patriot and first president of these United States, George Washington, at Laredo, Texas, February 21st to 23rd, and to honor by your presence the memory of that great statesman.

Very respectfully,

W. G. HECKMANN,

Chief of Records, Yaqui Tribe No. 59.  
S. T. HOWARD,

Great Senior Sagamore of Texas.

## EXECUTIVE MESSAGE.

The following message from the Governor was received:

*To the Legislature.*

I have to submit for your consideration an amendment to the charter of the city of Dallas, to read as follows:

"Amend Section 12 of said charter so that the same shall hereafter read as follows:

"Sec. 12. Said election shall be ordered by the mayor or the city council. For the purpose of holding such election and others ordered, the city council shall have power to divide any ward of the city into any number of voting precincts or blocks, not to exceed one such voting place for each 500 qualified voters according to the returns of the last general city election, and shall have power to appoint some suitable person to act as presiding officer of all elections held in each of said voting precincts. The boundaries of such voting precincts or blocks shall be distinctly and clearly defined in the ordinances creating the same, as well as the places of voting therein, and such voting precincts shall be created and established biennially preceding each general city election; provided, that no person shall vote outside of the voting precinct or block in which he resides at the time the election is held; and provided, that at the first general election held under this act, the number of voting precincts in each ward shall not exceed three, the division into voting precincts to be as nearly as practicable on a basis of equality of voting strength of the several voting precincts."

Also amendments to Articles 5127, 5128 and 5166, of the Revised Statutes of 1895, regarding the publication of blank tax rolls and receipts for the assessment, rendition and collection of taxes.

JOSEPH D. SAYERS,  
Governor.

## HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives.  
Austin, Texas, February 13, 1900.

*Hon. Jas. N. Browning, President of the Senate.*

MR. PRESIDENT: I am directed by the House to inform the Senate that the House has passed the following bill, to-wit:

House bill No. 4, A bill to be entitled "An Act to amend Article 5046, Chap-

ter 1, Title CIV, of the Revised Civil Statutes of the State of Texas."

LEE J. ROUNTREE,  
Chief Clerk House of Representatives.

## IN SENATE.

The above reported House bill No. 4 was read first time, and referred to the Committee on Finance.

## COMMITTEE REPORTS.

Committee Room,

Austin, Texas, February 12, 1900.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on State Asylums to whom was referred

Senate bill No. 8, being a bill to be entitled "An Act to amend Section 7 of an act to provide for the location and building of a branch asylum for the care and treatment of the epileptic insane of the State, and to make an appropriation therefor, approved February 9, 1899,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

Floor report—Morriss, James, Sebastian, Gough and Johnson.

MORRISS, Chairman.

Committee Room,

Austin, Texas, February 8, 1900.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Federal Relations, to whom was referred

Senate resolution in reference to deep water at Sabine Pass, the same being to correct and reaffirm former Senate Resolution on the same subject,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ROSS, Chairman.

Committee Room,

Austin, Texas, February 13, 1900.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Public Lands and Land Office, to whom was referred

Senate bill No. 10, being A bill to be entitled "An Act authorizing the sale of certain portions of the public free school, University and asylum lands to railroad companies owning and operating railroads in this State, for the establishment of depots, stations, yards, round houses, shops, divisional terminals or water stations required in connection with the op-

eration of such railroads; to prescribe the terms and conditions of such sale and authorize the Commissioner of the General Land Office to fix the price of such land when so sold for such purposes."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

Floor report — Turney, Sebastian, James, Gough and Yantis.

TURNEY, Acting Chairman.

#### MAJORITY REPORT.

Committee Room,

Austin, Texas, February 12, 1900.

Hon. J. N. Browning, President of the Senate.

SIR: A majority of your Judiciary Committee No. 1, to whom was referred Senate bill No. 9, being A bill to be entitled "An Act to prevent the running of more than one working locomotive on one train on any railroad, and providing a penalty and remedy for the violation of the provisions of said act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

ATLEE, Chairman.

#### MINORITY REPORT.

Committee Room,

Austin, Texas, February 11, 1900.

Hon. J. N. Browning, President of the Senate.

SIR: The undersigned, a minority of Judiciary Committee No. 1, to whom was referred

Senate bill No. 9, being A bill to be entitled "An Act to prevent the running of more than one working locomotive on one train on any railroad and providing a penalty and remedy for the violation of the provisions of said act,"

Are unable to agree with the majority of said committee in reporting said bill favorably to the Senate, and beg leave to present this minority report and recommend that said bill *do not pass*.

In protesting against the passage of this bill it is proper to give some reason why such opposition exists. The power of the Legislature is not confined, in the enactment of laws, to justice, wisdom or expediency, however great may be the solicitude of its components to maintain those elements. The organic law of our State, unfortunately does not place a limit upon the Legislature in regard to the enactment of laws intermeddling

with the private affairs of persons and corporations, or in the manner of conducting their private business, and for the last few years it is matter of history in this State that the tendency of legislation is to regulate everybody and everything. So weak and helpless seem a large class of our citizens that resort is had to the Legislature for redress of every species of wrong, whether public, private, pecuniary or moral. We are fast growing protectionists, until independence and true manhood are minimized. The proposition to prevent the railroads of Texas from running more than one engine to a train, is a proposition that can not be justified upon any principle, except upon the theory that such practice renders the operation of trains dangerous to life and property, to such a degree as to appeal to the police power of the law-making branch of the government. Legislative interference with the manner of conducting the private business of persons or corporations, should be confined to cases of great necessity, growing out of real wrongs or vicious practices not necessary to the conducting of such business. Doubtful expedencies in the conduct of the private business of corporations, even though they be public in their nature, should not receive legislative attention. It is always a dangerous precedent to enact laws that affect classes only, and not the public in general. To heed the demands of classes begets class legislation, and laws enacted under such circumstances are rarely just, wise or expedient. Class legislation is always at the expense of the general public, and in the end little good rarely results from such measures. The legislation asked by the railroad employes of Texas is in every sense class legislation, and is subject to the charge of being unreasonable and unjust. We know that the suggestion comes from a powerful and well organized body of noble workmen, and from a class of people that no legislator would be slow to assist, if it could be done without the sacrifice of a great principle. The laws enacted within the last few years by our Legislature clearly show that there is scarcely anything that labor has asked that has not been granted, and in many instances our lawmakers have acted unwisely in heeding all demands from this class, as the very acts intended for their benefit have proven boomerangs. Notably among such laws has been the unwise and unjust exception of labor organizations from the operation of our trust law. Not only has such exception taken from

the act the moral force in its execution, but has jeopardized its legality. Labor has suffered ten-fold more than this exception in its favor, which was an act of demagoguery, than if such organizations had been put upon an equality with every other class. So it is, class legislation can never in the end benefit the objects of its blessings. Labor, as all other classes, should be reasonable in its demands. An impartial investigation of the subject embraced in this bill shows to our mind that the running of more than one engine to the train does not make the business of operating trains more hazardous than if only one engine was used. On the contrary, the preponderance of evidence shows that the use of double-headers renders the operation of trains less dangerous to life and property, but reduces the number of hands required to carry on the business of railroads. The practice of using two or more engines to one train is in vogue in nearly every State in the Union, and no Legislature has yet been so unreasonable as to attempt to prevent the practice on the part of the railroads. The uncontradicted evidence before the committee is that some of the roads using the double-header system could not otherwise compete with transcontinental traffic. There is not only a saving in danger to life and property, but a saving in time and in the expenditure necessary to carry on the business. The most that can be said in favor of those who oppose the double-header system, is that the system seems to be more hazardous than the operation of trains with single engines, but their contention is not borne out by the statistics of accidents on those roads operating double-headers.

If it should appear from the facts that the system of operating trains with double-headers is more dangerous to life and property than otherwise, the question then arises, is such increased danger of sufficient magnitude to warrant legislation on the subject. If so, it becomes a pertinent question, where will this species of legislation end? Is there no grievance against the railroads so trivial as not to demand the attention of the Legislature? Should these corporations upon whom the great body of our people depend for the development of commerce and trade, be deprived of the privilege of economizing in the management of their business, or rather shall they be subject to legislative control to the extent that they shall be restricted in the number of engines they can operate to one train, or the number of cars to any one train. Will the Legislature

by arbitrary power, and without knowledge upon this subject, and without considering the interest of the great body of the people, undertake to run the details of the business of the railroads of Texas. It seems rather out of place. The precedent that will be set by the passage of this bill will set Texas back twenty years in the line of legitimate progress. It will make the industry and thrift of this country feel that there is no subject so trivial and so vicious in principle as not to be enacted by the Legislature of Texas, when directed against enterprise and industry and against economy and business.

Mr. President, this bill presents one question, and one question only, and aside from this question it presents no merit. The question is, shall the railroads of Texas use such methods in the operating of their business as will lessen the number of those employed? If the operation of the double-header system did not lessen the number of those employed, this bill, in our judgment, would not be now before the Senate.

We oppose the bill upon principle. It is class legislation in the worst form. It is unjust and inexpedient legislation. It will open the floodgates and invite protests against the successful operation of the legitimate private business of persons and corporations, whenever the rules and regulations of such persons and corporations tend to lessen the clerical force of those employed.

The bill presents another serious question, as to whether it is not in conflict with constitutional law. It is speculative to say the courts of our country will tolerate legislative interference in a matter pertaining so much alone to the right of railroads to carry on their lawful business in lawful manner. Certainly, the courts will call a halt on legislative authority in enacting this law as applied to interstate trains carrying interstate commerce.

Respectfully submitted,

DIBRELL,

On part of minority.

Committee Room,

Austin, Texas, February 11, 1900.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 12, being a bill to be entitled "An Act to define libel as the foundation for civil action for damages,"

Have had the same under consideration, and I am instructed to report the

same back to the Senate with the recommendation that it *do* pass.

ATLEE, Chairman.

#### BILLS AND RESOLUTIONS.

By Senator Stafford:

Senate bill No. 14, A bill to be entitled "An Act to amend Articles 5127, 5128 and 5166, of the Revised Statutes of the State of Texas, relating to the matter of furnishing blanks, rolls and tax receipts for the assessment, rendition and collection of taxes to the various assessors and tax collectors of the counties in this State."

Read first time, and referred to the Committee on Public Printing.

By Senator Wayland:

Senate bill No. 15, A bill to be entitled "An Act to amend Articles 3862 and 3866, Revised Civil Statutes, and an Act of the Twenty-sixth Legislature, Regular Session, page 21, General Laws, amendatory of said articles, relating to the government of the Agricultural and Mechanical College of Texas, and to repeal all laws in conflict with this act."

Read first time, and referred to the Committee on Finance.

By Senator Miller:

Senate bill No. 16, A bill to be entitled "An Act to amend Sections 12, 56, 77, 119 and 120, of an Act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899."

Read first time, and referred to the Committee on Towns and City Corporations.

By Senator Grinnan:

Senate bill No. 17, A bill to be entitled "An Act extending for twenty years the payment of the principal of the purchase money for lands purchased under the Act of the Legislature herein named."

NOTE.—(Being an Act amending Sections 1, 2, 3, 4, 5, 6, 7 and 8 of an Act providing for the sale of alternate sections of land set apart for the benefit of the common school fund, and for the investment of the proceeds of such sales, approved July 8, 1879, and the Act of April 6, 1881.)

Read first time, and referred to the Committee on Public Lands and Land Office.

By Senator Lewis:

Senate bill No. 18, A bill to be entitled "An Act to amend Sections 43 and 45 of an Act incorporating the city of San Antonio, approved August 13, 1870, and of all acts amendatory thereof."

Read first time, and referred to the

Committee on Towns and City Corporations.

Call concluded.

#### REGULAR ORDER SUSPENDED.

On motion of Senator Sebastian, the regular order of business was suspended to take up, on second reading,

Senate bill No. 8, A bill to be entitled "An Act to amend Section 7 of an Act to provide for the location and building of a branch asylum for the care and treatment of the epileptic insane of the State, and to make an appropriation therefor," approved February 9, 1899."

The bill was read a second time, and ordered engrossed.

(Senator Stafford in the chair.)

On motion of Senator Sebastian, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—27.

Atlee.	Morriss.
Burns.	Neal.
Davidson.	Odell.
Dibrell.	Patterson.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Johnson.	Turney.
Kerr.	Wayland.
Lewis.	Yantis.
Lloyd.	Yett.
Miller.	

Nays—1.

McGee.

Absent.

Goss.	Terrell.
Linn.	

The bill was read a third time, and passed by the following vote:

Yeas—27.

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Neal.
Dibrell.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Stone.
Kerr.	Turney.
Lewis.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Goss.  
Linn.Terrell.  
Wayland.

## COMMITTEE REPORTS.

By unanimous consent, the following committee reports were made:

Committee Room,  
Austin, Texas, February 13, 1900.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Public Printing, to whom was referred

Senate bill No. 14, being a bill to be entitled "An Act to amend Articles 5127, 5128 and 5166, of the Revised Statutes of the State of Texas, relating to the matter of furnishing blanks, rolls and tax receipts for the assessment, rendition and collection of taxes to the various assessors and tax collectors of the counties in this State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*, and that it be not printed.

LLOYD, Chairman.

Committee Room,  
Austin, Texas, February 13, 1900.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 16, being a bill to be entitled "An Act to amend Sections 12, 56, 77, 119 and 120, of an act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9th, 1899, with an emergency clause,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

MILLER, Chairman.

Committee Room,  
Austin, Texas, February 13, 1900.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 18, being a bill to be entitled "An Act to amend Sections 43 and 45 of an Act incorporating the city of San Antonio, approved August 13, 1870, and of all acts amendatory thereof,"

Have had the same under consideration, and I am instructed to report the

same back to the Senate with the recommendation that it *do pass*.

Floor report—Miller, Stafford, James, Burns and Atlee.

MILLER, Chairman.

Committee Room,  
Austin, Texas, February 13, 1900.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 8, being "An Act to amend Section 7 of an Act to provide for the location and building of a branch asylum for the care and treatment of the epileptic insane of the State, and to make an appropriation therefor, approved February 9, 1899,"

And find the same correctly engrossed.  
JAMES, Chairman.

## REGULAR ORDER.

The chair laid before the Senate, on second reading,

Senate bill No. 6, A bill to be entitled "An Act making an appropriation for deficiencies in the appropriations heretofore made for the payment of expenses in support of the State government from March 1st, 1899, to February 28th, 1901, being for claims registered in the Comptroller's Office in accordance with law, and for outstanding claims not registered, and for other deficiencies," action being on engrossment.

By Senator Gough:

"Amend by adding between lines 1 and 2, on page 4, the following: 'To refund to lessees of public school, University or asylum lands the money paid out by them into the State treasury in accordance with any of the laws of this State, and where, according to the certificate of the Commissioner of the General Land Office, made under the provisions of Chapter 3, as amended by the Acts of the Twenty-fourth Legislature in House bill No. 358, it is shown that possession cannot pass because of erroneous leases or conflicting leases, to be paid out of the respective funds to which said payments were credited, said claims to be approved by the Attorney-General and the Governor as to correctness of claim and to whom due, \$15,000.'"

Lost.

By Senator Dibrell:

"Amend by inserting the word 'two' after the word 'the,' in line 19, page 1, and by adding the letter 's' after the word 'year,' in same line."

Adopted.

By Senator James:  
 "Amend page 3 by adding line 21a after line 21, by adding the following:  
 "21a. For one two-story brick building, \$6500.'"  
 Adopted.

By Senator Dibrell:  
 "Amend by adding after the word 'bakery,' in line 5, page 5, the following, 'and for equipping and furnishing same.'"  
 Adopted.

By Senator James:  
 "Amend line 22 by striking out line 22, page 3, and substituting the following:  
 "22. For building a fire-proof building for the manufacture of mattresses, \$2500.'"  
 Adopted.

By Senator Morriss:  
 "Amend page 3 by inserting after line 32, 'For two additional pension clerks in the Comptroller's Department, \$1200 each, \$2400.'"  
 Adopted.

By Senator Dibrell:  
 "Amend by inserting in line 10, page 4, the following, 'For relief of liquor dealers in local option districts, \$1000.'"  
 Adopted.

Senator Gough moved to reconsider the vote by which his amendment (see first amendment after second reading of the bill) was lost.  
 Reconsidered.

The amendment was then adopted.  
 (Lieutenant-Governor Browning in the chair.)

By Senator Dibrell:  
 "Amend by inserting the word 'two' after the word 'the,' in line 24, page 1, and by adding the letter 's' after the word 'year,' in same line."  
 Adopted.

By Senator Wayland:  
 "Amend caption of bill by adding at end of line 11, page 1, the following words, 'and other purposes.'"  
 Adopted.

By Senator Hanger:  
 "Amend by striking out all in lines 8 and 9, on page 4, and inserting in lieu thereof the following, 'the sum of \$700 is hereby appropriated to pay balance due Hon. O. B. Colquitt, expert member of the Tax Commission.'"  
 Adopted.

By Senator Johnson:  
 Substitute the amendment:  
 "Amend Senate bill No. 6 by striking out lines 8 and 9, page 4, relating to Tax Commission."

Senator Burns moved to lay the substitute on the table.

Carried.

The amendment (Hanger's) was then adopted.

By Senator Hanger:  
 "Amend by adding in line 1, on page 2, the following:

February 28, 1901.—Estimated:

COURT OF CIVIL APPEALS—SECOND DISTRICT.

Postage .....\$ 40.00  
 Contingent expenses ..... 100.00

Senator Atlee arose to the following point of *parliamentary inquiry*:

"The Senate having adopted the committee amendments (see Journal of February 8th), which said amendments struck out of the bill the items now sought to be incorporated, can the Senate now amend the bill by reinserting the said items in the bill without a motion to reconsider the action of the Senate in adopting the committee amendments?"

The Chair ruled that as the amendment pending did not cover all the items included in the the one stricken out, it was therefore in order.

The amendment was adopted.

By Senator Greer:  
 "Amend by adding after line 26, in Section 1, the following:

February 28, 1901.—Estimated:

COURT OF CIVIL APPEALS—FIRST DISTRICT.

Postage .....\$ 40.00  
 Contingent expenses ..... 100.00

Adopted.

By Senator Patterson:  
 "Amend line 9, page 4, by inserting \$7000 wherever \$700 appears in the bill."  
 Lost by the following vote:

Nays—27.

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Neal.
Dibrell.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Kerr.	Turney.
Lewis.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Goss.	Terrell.
Ross.	

Present—Not voting.

Johnson.

By Senator Dibrell:

"Amend by adding after line 1, on page 4, the following: 'For postage, \$500.'" Adopted.

Senator Lewis moved to reconsider the vote by which the amendment offered by Senator Hanger (see above), was adopted.  
Lost.

By Senator Patterson:

"Amend by adding to the bill the following: 'Should any head of any department in this State feel that the appropriations are not adequate as made for his department, he shall be allowed to draw on the State Treasurer for such amounts as he may deem proper.'" Lost by the following vote:

Nays—26.

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Neal.
Dibrell.	Odell.
Gough.	Patterson.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.

Absent.

Goss.	Stone.
Johnson.	Terrell.
Lewis.	

By Senator Dibrell:

"Amend by inserting between the lines 30 and 31, page 3, the following:

'PRAIRIE VIEW STATE NORMAL AND INDUSTRIAL COLLEGE.

Furniture for new dormitory..\$1,000 00  
'And the unexpended balance of the appropriation to remove and repair the old Kirby building, may be used for the purchase of furniture necessary to equip the same for use.'" Adopted.

By Senator Johnson:

"Amend by adding at the end of appropriation for North Texas Insane Asylum, between lines 28 and 29, on page 2, the following:

'For repairs, flooring and ceiling old power and boiler house, kitchen and laundry..\$3,000 00  
Adopted.

Senator Atlee moved the previous ques-

tion on the engrossment of the bill, which was duly seconded, and prevailed.

The bill was then ordered engrossed.

## SENATE CONCURRENT RESOLUTION NO 2.

By unanimous consent the following concurrent resolution was offered:

By Senators Dibrell and Turney:

Senate Concurrent Resolution No. 2, directing the Superintendent of Public Buildings and Grounds to prevent the obstruction, in any manner, of the way or walk leading from the capitol building to Congress Avenue.

The resolution was read, and Adopted.

Senator James moved to adjourn until 3 p. m. today; Senator Lloyd moved to adjourn until 10 a. m. tomorrow.

The Senate refused to adjourn until 10 a. m. tomorrow by the following vote:

Yeas—11.

Burns.	Lloyd.
Dibrell.	McGee.
Hanger.	Neal.
Johnson.	Ross.
Kerr.	Wayland.
Linn.	

Nays—16.

Atlee.	Odell.
Davidson.	Potter.
Greer.	Sebastian.
Grinnan.	Stafford.
James.	Stone.
Lewis.	Turney.
Miller.	Yantis.
Morriss.	Yett.

Absent.

Goss.	Patterson.
Gough.	Terrell.

The Senate then adjourned until 3 p. m.

## AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Lewis.
Burns.	Linn.
Davidson.	Lloyd.
Dibrell.	McGee.
Greer.	Miller.
James.	Morriss.
Johnson.	Neal.
Kerr.	Odell.



Potter.	Turney.
Sebastian.	Wayland.
Stafford.	Yantis.
Stone.	Yett.

Absent.

Goss.	Patterson.
Gough.	Ross.
Grinnan.	Terrell.
Hanger.	

**REGULAR ORDER SUSPENDED.**

Senator Stafford moved that the rule requiring bills to lay on the table for one day after being reported, be suspended, and that the regular order of business be suspended to take up, on second reading,

Senate bill No. 14, A bill to be entitled "An Act to amend Articles 5127, 5128 and 5166 of the Revised Statutes of the State of Texas, relating to the matter of furnishing blanks, rolls, and tax receipts for the assessment, rendition and collection of taxes to the various assessors and tax collectors in this State."

Carried.

On motion of Senator Stafford, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its second reading by the following vote:

Yeas—23.

Davidson.	Miller
Dibrell.	Morriss.
Greer.	Neal.
Grinnan.	Odell.
Hanger.	Potter.
James.	Sebastian.
Johnson.	Stafford.
Kerr.	Stone.
Lewis.	Turney.
Linn.	Wayland.
Lloyd.	Yett.
McGee.	

Nays—1.

Yantis.

Absent.

Atlee.	Patterson.
Goss.	Ross.
Gough.	Terrell.

Present—Not voting.

Burns.

The bill was read a second time, and ordered engrossed.

**REGULAR ORDER.**

The Chair laid before the Senate, on second reading,

Senate bill No. 7, A bill to be entitled "An Act making an appropriation for ad-

ditional support for the State government for the year ending February 28, 1901, in order that the force of the Treasurer's Office, and especially that of the Land Office, might be increased so as to transact the greatly increased business of the State in these two branches of the government," action being on engrossment.

On motion of Senator Turney, the bill was laid on the table subject to call.

The Chair laid before the Senate, on second reading,

Senate bill No. 3, A bill to be entitled "An Act to fix the salaries of the Superintendents of the several insane asylums of this State, and to make an additional appropriation therefor," action being on engrossment.

The bill was ordered engrossed by the following vote:

Yeas—13.

Davidson.	Potter.
Dibrell.	Sebastian.
Greer.	Stafford.
James.	Turney.
Lewis.	Wayland.
McGee.	Yett.
Morriss.	

Nays—11.

Burns.	Lloyd.
Grinnan.	Miller.
Hanger.	Odell.
Johnson.	Stone.
Kerr.	Yantis.
Linn.	

Absent.

Atlee.	Patterson.
Goss.	Ross.
Gough.	Terrell.

Present—Not voting.

Neal.

The Chair laid before the Senate, on second reading,

Senate bill No. 5, A bill to be entitled "An Act to amend Section 1, of Chapter 137, of the Acts of the Twenty-sixth Legislature of the State of Texas, approved May 23, 1899, so as to require sale of classified or detached lands at price and on terms fixed by the Commissioner of the General Land Office."

The bill was read a second time.

By Senator Potter:

"Amend by striking out all of Section 1, after the figures '1897,' in line 27, page 1, of the printed bill, and inserting the following: 'Provided, That none of such lands shall be sold until they are placed upon the market by the Commissioner of the Land Office; provided further, that such lands shall be sold under

the preference rights of purchase to settlers and lessees of such lands that are now provided by law; such preference rights to date from the time such lands are placed upon the market by such Commissioner; provided further, all timber lands shall be sold for cash."

Pending action,

On motion of Senator Davidson further consideration of the bill and pending amendment was postponed until tomorrow after call.

#### COMMITTEE REPORT.

By unanimous consent, the following committee report was made:

Committee Room,  
Austin, Texas, February 13, 1900.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Public Lands and Land Office, to whom was referred

Senate bill No. 17, being a bill to be entitled "An Act extending for twenty years the payment of the principal of the purchase money for lands purchased under the Act of the Legislature herein named,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

Floor report—Potter, Turney, Yantis, Sebastian and James.

POTTER, Chairman.

#### RESOLUTION.

By unanimous consent, the following resolution was offered:

By Senator Gough:

Be it resolved, That the thanks of the Senate be extended to the Yaqui Tribe of Red Men for an invitation to attend their celebration of the one hundred and sixty-eighth anniversary of the birth of Washington, the celebration to occur on the 21st, 22nd and 23rd instant, at Laredo, Texas.

Adopted.

#### REGULAR ORDER.

The Chair laid before the Senate, on second reading,

Senate bill No. 12, A bill to be entitled "An Act to define libel as the foundation for a civil action for damages."

The bill was read a second time.

Pending action on engrossment,

Senator Miller moved to adjourn until 10 a. m. tomorrow.

Lost by the following vote:

Yeas—9.

Grinnan.	Morriss.
Hanger.	Neal.
Kerr.	Wayland.
Linn.	Yantis.
Miller.	

Nays—15.

Atlee.	McGee.
Burns.	Odell.
Davidson.	Potter.
Gough.	Sebastian.
Greer.	Stone.
James.	Turney.
Lewis.	Yett.
Lloyd.	

Absent.

Dibrell.	Ross.
Goss.	Stafford.
Johnson.	Terrell.
Patterson.	

Senator Yantis moved to postpone further consideration of the pending bill until Monday, February 19th, next, after call.

Lost by the following vote:

Yeas—6.

Davidson.	Lloyd.
Hanger.	McGee.
Kerr.	Yantis.

Nays—18.

Atlee.	Miller.
Burns.	Morriss.
Dibrell.	Odell.
Gough.	Sebastian.
Greer.	Stafford.
Grinnan.	Stone.
James.	Turney.
Lewis.	Wayland.
Linn.	Yett.

Absent.

Goss.	Potter.
Johnson.	Ross.
Neal.	Terrell.
Patterson.	

At request of Senator Sebastian, the bill was read in full.

By Senator Davidson:

"Amend line 10, page 1, by adding after the word 'otherwise' the words 'or by circulating any writing, printing, picture or sign.'"

Adopted.

By Senator Yantis:

"Amend by striking out the word 'malicious,' in line 9, Section 1."

Adopted.

Senator Dibrell moved to reconsider the vote by which the amendment was adopted.

Lost by the following vote:

Yeas—12.

Atlee.	Linn.
Burns.	Odell
Dibrell.	Sebastian.
Grinnan.	Stafford.
James.	Turney.
Kerr.	Wayland.

Nays—14.

Davidson.	Miller.
Gough.	Morriss.
Greer.	Neal.
Hanger.	Potter.
Lewis.	Stone.
Lloyd.	Yantis.
McGee.	Yett.

Absent.

Goss.	Ross.
Johnson.	Terrell.
Patterson.	

By Senator Davidson:

"Amend Section 2, line 15, after the word 'publication,' by adding the words 'or circulation.'"

Adopted.

(President Pro Tem. Turney in the chair.)

By Senator Atlee:

"Amend by striking out in lines 16 and 17 all after word 'act,' in line 16, to and including the word 'publication,' in line 17."

Adopted.

Pending further action,

On motion of Senator Miller the Senate adjourned until 10 a. m. tomorrow.

#### FOURTEENTH DAY.

Senate Chamber,

Austin, Tex., Wednesday, Feb. 14, 1900.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Kerr.
Burns.	Lewis.
Davidson.	Linn.
Dibrell.	Lloyd.
Goss.	McGee.
Gough.	Miller.
Greer.	Morriss.
Grinnan.	Neal.
Hanger.	Patterson.
James.	Potter.
Johnson.	Ross.

Sebastian.  
Stafford.  
Stone.  
Terrell.

Turney.  
Wayland.  
Yantis.  
Yett.

Absent.

Odell.

Prayer by the Chaplain, Rev. C. B. Garrett.

Pending the reading of the Journal of yesterday,

On motion of Senator Kerr, the same was dispensed with.

#### EXCUSED.

On motion of Senator Burns, Senator Terrell was excused for non-attendance on Monday and Tuesday of this week on account of important business.

On motion of Senator Gough, Senator Goss was excused for non-attendance on Monday and Tuesday of this week on account of important business.

On motion of Senator Yantis, Senator Yett was excused for absence on Thursday of last week, and Monday and Tuesday of this week, on account of important business.

#### PETITIONS AND MEMORIALS.

By Senator Kerr:

Petition from the members of the La Grange Casino Association praying that bowling alleys maintained by social clubs be exempt from the payment of an occupation tax.

Read, and referred to the Committee on Finance.

#### COMMITTEE REPORTS.

Committee Room,

Austin, Texas, February 14, 1900.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Finance, to whom was referred.

Senate bill No. 15, being a bill to be entitled "An Act to amend Articles 3862 and 3866, Revised Civil Statutes, and an act of the Twenty-sixth Legislature, Regular Session, page 21 General Laws, amendatory of said articles, relating to the government of the Agricultural and Mechanical College of Texas, and to repeal all laws in conflict with this act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

Floor report; unanimous.

DIBRELL, Chairman.